

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANNETTE JACKSON,

Plaintiff,

v

Case No. 08-12522

COMMISSIONER OF SOCIAL
SECURITY,

DISTRICT JUDGE ARTHUR J. TARNOW

MAG. JUDGE CHARLES E. BINDER

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is Magistrate Judge Binder's Report and Recommendation [Docket #15-1] filed January 14, 2009. The Magistrate Judge recommends pursuant to the parties' stipulation that this Court remand the case for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g) to allow the Administrative Law Judge to consider Plaintiff's mental impairment under 20 C.F.R. § 404.1520a and 416.920a, and to reconsider Plaintiff's residual functional capacity

Having reviewed the file, the Report and Recommendation and the Stipulation of the parties, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Commissioner's decision is **REVERSED** and the case is **REMANDED** to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

s/Arthur J. Tarnow

Arthur J. Tarnow

Dated: January 16, 2009

United States District Judge

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on January 16, 2009, by electronic and/or ordinary mail.

s/Catherine A. Pickles

Judicial Secretary